SPRING 2005

CROSSROADS

New Hampshire Department of Corrections Victim Services Office

"Inform & Involve Survivors of Crime"



Stephen J. Curry Commissioner

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FROM THE COMMISSIONER

We recently revised the Department's Mission Statement to reflect our goals and priorities: "It is the mission of the NH Department of Corrections:

- To enhance the public safety of the State of New Hampshire for its citizens;
- To provide effective custody and control, correctional treatment and rehabilitation of offenders throughout the total correctional system including probation, incarceration, and parole;
- * To provide a rewarding work environment for all correctional employees including the opportunity for personal and professional development and growth."

The Department continues to aggressively move toward implementing a new corrections data management system. When operational, this integrated offender management system (OMS) will be a vast improvement over the way we now keep information on multiple incompatible software systems. At this time, we anticipate the

Community
Partnership

Offenders,
Ex-Offenders

new OMS will be fully operational department-wide by the end of 2006. For crime victims, as the OMS goes on line, we have an eye toward future enhancements. One of our requirements for the new OMS is that it is compatible with automated victim notification systems currently available nationally.

We are thankful for the heroic work of 45 of our colleagues in the NH Department of Corrections who were called for military duty in Iraq or Afghanistan over the past two years. Many of them just returned home. We are proud to have taken the lead in assisting these individuals with their reorientation and transition back into their workplace.

Steve Curry

This *CROSSROADS*

By Peter A. Michaud

During the month of April, a number of ceremonies and events are held to honor National Crime Victims Rights Week and National Sexual Assault Awareness Month. I hope you make time to participate in an event or two in a New Hampshire community near you!

This edition of *Crossroads* includes information about the important role of Victim Impact Statements during presentence investigations conducted by the NH Department of Corrections. Our partnership with NH AmeriCorps Victim Assistance Program is promoting sensi-

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tivity toward victims of crime as we seek their participation and voice in developing sentencing recommendations.

Abuse and crimes against senior citizens is a growing concern in New Hampshire and nationally. Hillsborough County's Senior Services Coordinator offers some insight into a "hidden epidemic."

Improving community re-entry can help parolees address key issues such as employment, housing, alcohol/drug abuse, mental health treatment, and reunification with families. Supporting core rights for crime victims is a vital element to successful reentry of ex-offenders from prison to community.

A NHDOC Volunteer offers a viewpoint on his role in facilitating Victim-Offender Dialogue. The success of such difficult conversations is in the hands of the crime victims/survivors (who initiated the request in the first place) and the person who harmed them. Trained facilitators of dialogue, in the end, must "be willing to take no credit for it."

Responding to a "Hidden Epidemic"

By Joe Byron

We do our best to stay well... and with a little luck and good genetics we will all experience the golden years. We anticipate our golden years will be enjoyable, with more time to spend with family and friends. We plan to have the opportunity to relax and experience peace of mind. Many older adults may not experience this peace of mind, however. They will become the victims of elder abuse. The Institute for Family Violence estimates that between 1.5 and 2 million people aged 65 and over are abused each year.

Elder Abuse is not a new problem. It is a problem that is rarely discussed. It is a problem that affects New Hampshire's elders. Last year alone, 2,130 cases of elder abuse were reported to the NH Department of Health & Human Services (DHHS) Bu-

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Crime Victim's Voice:

The Physical, Emotional & Financial Impacts

By Shawna Lapierre

What is the job of a victim advocate?

There are many things that an advocate for crime victims does, but all we do falls under the umbrella of "advocating for the victim." We explain the criminal justice process, we provide crisis services, we explain restitution, we help victims create safety plans, we help them navigate the different systems they are thrown into -- we are the voice of the victim. We strive to keep them informed, involved and safe.

The NH AmeriCorps Victim Assistance Program has 19 advocates committing one year of their time to help crime victims throughout the state of New Hampshire. Some are at Crisis Centers, some are at Prosecutor Offices and some are at Colleges and Universities. I am serving at the NH Department of Corrections (NHDOC). I have chosen to spend my year of service as a victim advocate at the Manchester District Office (Probation/Parole).

As an AmeriCorps member, I spend my days advocating for victims involved with the NHDOC. Nobody asks to be a crime victim. Nor do they ask to be thrown into the Corrections system. The NHDOC can be a very confusing place for victims, as the corrections process is notably offender-oriented. Because of that, it is very important that victims have opportunities to be heard.

One way crime victims have a voice in this process is giving a **Victim Impact Statement**. This is a very important part of sentencing. Many times, when a defendant is found guilty of a crime, the court will order the local District Office of the Department of Corrections

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"Inform & Involve Survivors of Crime" www.state.nh.us/nhdoc

New Hampshire Crime Victims' Rights Day ~ Tuesday, April 12, 2005 ~

In Honor of National Crime Victims' Rights Week

On April 12, 2005, crime victims, family members, supporters and the general public are invited to attend these activities. Events include:

- 11:00 AM Press Conference to proclaim Victims' Rights Week in New Hampshire, at St. Paul's Church Parish Hall, Park Street, Concord
- Displays sponsored by many victim advocacy organizations, including NH Parents of Murdered Children & Other Survivors of Homicide Victims all day at St. Paul's Parish Hall
- 11:00 AM Display of the Memorial Quilt sponsored by Victims, Inc., and AmeriCorps' Clothesline Project, honoring survivors of sexual and domestic violence
- 5:30 p.m. Memorial Service, at St. Paul's Church, in tribute to all those who have been traumatized by violent crime
- * 7:00 p.m. Vigil and reception at St. Paul's Church

For more information, please call (603) 271-3671.



"The theme of the Silver Anniversary of National Crime Victims' Rights Week is "Justice Isn't Served Until Crime Victims Are." This simple yet powerful message focuses attention on victims' needs for justice, for comprehensive services to help them cope in the aftermath of crime, and for the right to be treated with dignity and compassion by our criminal and juvenile justice systems and society."

John W. Gillis, Director U.S. Office for Victims of Crime

New at Victim Services

In January, Ms. Barbara Cotter came on board as Secretary with the NHDOC's Victim Services Office. She may be reached at (603) 271-7351 or by email at bcotter@nhdoc.state.nh.us.

*** WELCOME BARBARA! ***

(Crime Victim's Voice from page 2)

to complete a Pre-Sentence Investigation (PSI). This includes a summary of the police version of the crime, the defendant's version of the crime, victim input, a brief personal history of the defendant and a list of any prior convictions. Taking all of this into consideration, the Probation/Parole Officer conducting the PSI completes an analysis of the whole event and makes a sentencing recommendation to the court.

During the Victim Impact Statement, three areas are covered -- the Physical Impact, the Financial Impact and the Emotional Impact of the crime. The crime victim also has an opportunity to make a recommendation as to what the sentence should include. This information is usually gathered through an interview with the Probation/Parole Officer and/or a Victim Advocate. This is not a structured interview where the person is asked specific questions, but more of a discussion to allow the victim to talk about any impacts or aspects of the crime that they choose.

When discussing the **Physical Impacts** of the crime, they tell us about the resulting physical injuries. This can also include the duration of the injuries, what kind of medical attention was needed and what kind of medical care is expected in the future. Injuries may range from bumps and bruises, to broken bones, to death of a loved one. They may talk about how long it took for certain injuries to heal, length of hospital stays, continued need for physical therapy, etc.

When one thinks about the **Financial Impacts** of crime, many people think that means how much money was stolen, or the value of the car that was damaged during the

"One way crime victims have a voice in this process is giving a **Victim Impact Statement.**"

crime; but it is a lot more than that. The financial impacts include expenses that have already been paid, or owed, and losses as a direct result of the crime. This may include past and current medical expenses. It may also include expected future medical costs, for example if the person is still seeing a physical therapist or a mental health counselor. If the victim has to take time off from work because of the crime, s/he may have lost income. This is also a financial loss. If the crime resulted

in a loved one's death, the funeral costs can have a huge financial impact.

Discussing **Emotional Impacts** of the crime is generally the most difficult to do. People talk about how the crime affected them and their families, their feelings about what happened, how their lives have changed, their relationships with others, their ability to work or

concentrate and what kinds of support they needed as a result of the crime. Many people feel that they are not the same person as they were before the crime. Some feel as if their personalities have changed and they can not live their lives as they did before. Many talk about how this has affected their relationship with their friends and family. Some people have a hard time going back to work after the

"Many people feel that they are not the same person as they were before the crime."

crime. Some have to change their daily routines. People may have nightmares and trouble sleeping. Kids can develop behavioral, social and educational problems. Many crime victims develop a lack of trust and faith in others. The emotional impact of crime can be devastating and can lead to searching for outside assistance, such as religious support, counseling or support groups.

The Victim Impact Statement is also an opportunity to recommend a just sentence. Regarding prison time, some victims will give a specific number of years that they would like to see their offender serve. Others give a more general idea of time, such as a "minimal" amount or "life." Some want the defendant to write letters of apology to everyone he or she has hurt. Other recommendations for sentences may include drug and alcohol treatment, batterers intervention programs, sex offender treatment, unpaid community service work, probation, restitution and orders for the defendant not to contact the victims.

Along with participating in the NHDOC Pre-Sentence Investigation, crime victims have the right to speak, or write something to be read, during the court sentencing hearing. Sometimes victims take this opportunity to bring pictures, poems or drawings to help express what they feel and what or whom they have lost. This is important for both the court and the person(s) harmed. It



"Marked Our Lives Forever"

By Caroline

I sincerely believe, along with many other people I have spoken to since our terrifying experience, that part of the justice system must be changed in order to restore peace and a normal life to victims like us – victims of attempted murder, rape and violence.

What we have been through – the trauma, dread, fear night after night – has marked our lives forever. Because of it, I have made it a point to learn about prison life for people like (him).... They are in there to be punished, not rewarded for crimes they have committed.

Like all other victims of violence and rape, my daughter and I are the ones who got the life sentence, not the man who kidnapped and terrorized her. We will suffer from his abuse and threats forever, while he may serve only 7 and one-half to 15 years in prison.

The author is parent of a NH teenager who was kidnapped & terrorized by her stepfather in 2001, after he was convicted of violating a court's protective order.

(Hidden Epidemic from page 2)

reau of Elderly and Adult Services. Elder abuse has been referred to as the "Hidden Epidemic," because it largely goes undetected. Most older adults are reluctant to acknowledge abuse is occurring and are unwilling to talk about it. They fear repercussions and/or are embarrassed about being a victim. Most community members do not know that it is a significant problem with detectable warning signs.

What is elder abuse? There are a various forms of elder abuse:

Physical Abuse: Physical force that results in bodily injury, pain or impairment. It includes assault, such as hitting, shoving, biting and physical restraint.

Sexual Abuse: Non-consensual sexual contact of any kind with an older person, as well as the showing of materials of sexual nature.

Psychological Abuse: Emotional abuse by threat, humiliation, and/or aggression that results in intimidation, lower self-esteem and diminished functioning.

Financial Abuse: The illegal or improper use of an older person's funds, property or resources.

Neglect: Failure of a caregiver to fulfill his or her care giving responsibilities.

Self-Neglect: Failure to provide for one's own essential needs.

What to look for?

Physical Abuse: Behavioral signs may include being fearful and very reluctant to speak openly about what is occurring. They may be withdrawn, depressed, helpless and or angry. They may be in fear that they will be placed in a nursing home or in another location where they do not want to be. They may be protective of the abuser. Some indicators of physical abuse include unexplained injuries such as bruises, cuts, fractures, slap marks, black eyes, burns, etc.

Sexual Abuse: It may be difficult to think sexual abuse occurs to the elderly, but it is believed that older persons who suffer from dementia or who are nonverbal may be particularly vulnerable. Signs that a sexual assault may have occurred may include the transfer of a sexually transmitted disease, pain in the genital area, torn, stained or bloodstained under-clothing.

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Going Home: Assisting Ex-Offenders Adjust to Life Outside of Prison

by Nicole Tower & April Aucoin

The NH Department of Corrections' Manchester District Office is the home of a pilot reentry initiative called "Going Home: NH Serious and Violent Offender Reentry Initiative" (NH-SVORI). federally funded project is aimed at reducing recidivism rates among New Hampshire's most serious and violent repeat offenders. With the ultimate goal of public safety, NH-SVORI works to identify and address barriers that offenders face upon being released from the State's correctional facilities. It targets resources to combat any identified barriers which contribute to recidivism.

The primary focus of the Reentry Initiative is to provide intensive case management that supports eligible offenders through the process of preparing for release, actual release, and for the first 12 months of parole in the community. Four "Reentry Advocates" will be assigned to work with inmates in the creation of achievable parole plans, bringing knowledge of the local community to the development of the plan. This will allow for realistic and

comprehensive parole plans that will have an improved chance of successful impleindividualized

... core victim rights will be maintained throughout the entire mentation. Such reentry process

support will bridge the gap between each correctional facility and the community allowing for more comprehensive services and assistance with common post-release problems. This will ensure a seamless transition between the structured, rigid requirements of institutional life behind bars and the greater freedom acquired with community living while on parole. Reentry case management addresses key issues such as employment, housing, substance abuse treatment, mental health treatment, education, and reunification with families.

Not all offenders in the State's prison facilities, nor all offenders paroling to Manchester, are eligible for the support available through the reentry initiative.

Eligible offenders must be 35 years old or younger, sentenced to prison while residing in the City of Manchester, and must choose to return to the City of Manchester upon release from prison.

An important objective of the Reentry Initiative is building capacity in the community to serve exoffenders. Because a disproportionately large percentage of New Hampshire's adult prison population are paroled within the City of Manchester, NH-SVORI seeks to form lasting community partnerships between the NH Department of Corrections (Manchester District Office) and the variety of stakeholders in the community that already deal with reentry issues on a daily basis. By establishing open communication, NH-SVORI encourages community agencies to work together in developing best practices, better serving this population and improving the reentry system already in place.

So how do services and support for crime victim fit in with NH-SVORI? New Hampshire's commitment to addressing the needs of victims of crime is substantial. The NHDOC has employed a full-time Victim Services Office to address the needs of victims of incarcerated offenders for some time now. In recent years, a partnership with NH AmeriCorps Victim Assistance Program has expanded victim advocacy to NHDOC's Manchester District Office. To compliment the services already being provided, core victim rights will be maintained throughout the entire reentry process in accordance with NH RSA 21-M:8-k. Services include victim notification of offender status, participation and input during Adult Parole Board hearings, facilitation of restitution as ordered by the Court or Parole Board, reasonable protection from intimidation/harassment by the offender, and confidentiality of victim address, place of employment and other personal information. There is representation from local and statewide victim advocacy groups on the NH-SVORI's Advisory Council, as a goal of NH-SVORI is not only to promote successful offender reentry; we must always be cognizant of the need for victim safety.

Nicole Tower is Program Director for NHDOC's reentry initiatives. She may be reached at (603) 668-0432 or ntower@nhdoc.state.nh.us; April Aucoin, Cross Systems Protocol Specialist, may be reached at (603) 668-0432 or aaucoin@nhdoc.state.nh.us.



AmeriCorps Victim Assistance Program cordially invites you to the

11th Annual New Hampshire Clothesline Project

which will be held on the following dates and times:

April 12, 2005, 11:00–5:00 State House Lawn, Concord NH (shirts made in 2005)

April 13–15, 9:00 - 5:00 & 6:00 - 8:00 and **April 16**, 9:00 - 5:00 Mercer Hall Gymnasium, Colby Sawyer College, New London, NH (shirts from 1994 - 2005)

Facilitating Dialogue: Willing to Take No Credit

by Jerry Klein

Ed. Note: This item was written soon after the author attended the NH Department of Corrections' first intensive 30-hour training for facilitators of victim-offender dialogue. In December 2004, Mr. Klein and Chaplain Dan Smith co-facilitated a faceto-face dialogue between a crime victim and inmate at the Lakes Region Facility.

A few months ago, I attended a workshop on Victim-Offender Dialogue (VOD) in cases of violent crimes. In VOD in crimes of violence, a dialogue is established between the victim of a violent crime (or with family members) and the offender. We are talking about the most violent of crimes, including murder and serious assaults. Both parties must agree to the dialogue, but it is

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allows the judge to see/hear the trauma that the victims have gone through and how it has impacted them. Victims can also take comfort in knowing that the judge has heard them and that they really have a "voice" during the sentencing phase. Some people also take this time to say things to the defendant -- to let the offender know the harm they caused. This can be very liberating for the victim and family.

Who is a victim? In its broadest definition, society is "victim" of every crime. Crime can lead to destruction, incarceration, expenses and general danger to society as a whole. In its narrowest definition, the victim is the person directly harmed by the crime. Keeping these two definitions in mind, we cannot forget all the other people that fall in the middle. Family and friends of the primary victim are also affected by the crime. Sometimes the impact of crime can be just as intense for these "secondary" victims. Primary and secondary victims both benefit by having their voice heard in sentencing.

Under New Hampshire state law (RSA 21-M: 8-k), crime victims have many rights. Two of these are the right to have input in the probation pre-sentence report impact statement and the right to appear and make a written or oral victim impact statement prior to sentencing or any plea agreement. The reason is because the victims' voice is so important. The crime happened to them. The crime impacted their lives. They are the experts on what happened to them. It is important for them to tell their side of the story. It is important for the court and corrections to hear them. It is important for crime victims to know they are being heard.

Shawna Lapierre is an AmeriCorps Victim Advocate working with the NH Department of Corrections. She may be reached at (603) 668-0432, ext. 319, or email at slapierre@nhdoc.state.nh.us.

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Psychological Abuse: Signs of possible psychological abuse include disorders in eating, sleeping and/or speech, increased withdrawal and self-deprecating statements.

Financial Abuse: Often carried out by a person that the older adult trusts. Indications of financial abuse may include sudden changes in the will, change of victim's attorney, missing belongings, unusual activity in bank accounts, and withdrawals that are not consistent with normal practices.

Neglect: Warning signs include lack of basic care, the older adult is unclean, may not have been bathed, may have an odor of urine or feces, clothes have not been changed. They may also not be getting the proper nutrition and hydration to sustain basic needs, which would lead to malnutrition and dehydration. There may be missed medical and dental appointments.

Self-Neglect: Some persons may not have the capacity to care for themselves; in some cases, they may elect not to care for themselves properly. The indicators are similar to the signs of neglect. It should be noted that, in New Hampshire, the person has a right to self-determination: a topic which is sometimes subject of controversy among professionals.

"New Hampshire is addressing elder abuse in several ways."

There is a critical need for people in New Hampshire to recognize the signs of elder abuse. Law enforcement, emergency responders and health care profes-

sionals are not alone in the need to be educated. Other community members such as clergy, social service agencies, mental health professionals, financial institutions need to better understand this problem. The bottom line is we need to educate all people who have regular contact with older adults. They need to be aware of what to look for and where to go for help.

New Hampshire is addressing elder abuse in several ways. DHHS Commissioner John Stephen has established the Elder Abuse Advisory Council to address the issue on a statewide level. The DHHS Bureau of Elderly and Adult Services is the statewide service that

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initiated only at the request of the victim. For many years, I worked as a psychologist with severely ill, hospitalized psychiatric patients, so I am no stranger to pain and suffering and have had my share of violent patients. But I was totally unprepared for this training, ill-prepared for the violence and the torment.

"WE MUST REMEMBER, HOW-EVER, THAT THEY ARE HERE ONLY BECAUSE THE VICTIM REQUESTED THE MEETING AND THE OF-FENDER AGREED TO IT."

To be involved with Victim-Offender Dialogue is to immerse oneself in a world of violence and torment. At the beginning of their preparation for dialogue, violence is the only bond between the participants: one is the victim or survivor, and the other is the offender. The fact that they are meeting for the purpose of "a conversation" seems paradoxical, almost farcical. Dialogue implies human beings at their best: discourse, reason, and a civilized exchange of ideas. Yet these two people have been brought together by Mankind at its worst: by violence, destructiveness, brutality, cruelty. This hardly seems like fertile ground for dialogue, for reasoned discourse. Not only does it seem unpromising, it seems almost perverse to expect dialogue under these circumstances. We must remember, however, that they are here only because the victim requested the meeting and the offender agreed to

So when the dialogue begins, the participants – victim/ survivor and offender – may remind me of characters torn from the pages of Satre's *No Exit*, and they seem to exemplify his famous line: *Hell is other people*. The offender has made the victim's life a hell, but strangely enough, by virtue of doing that, the offender has also intruded into that person's life. So much so that the victim or survivor has asked for this meeting, this dialogue.

What about the facilitators of victim-offender dialogue? I have learned enough to fully appreciate that it is an extraordinarily difficult and painful undertaking. At one point during VOD training, we were asked what our feel-

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ings were. I commented that I was wondering why I was there and why the heck I should involve myself in this grievous concept, mucking around in such awful suffering.

The role of the VOD facilitator is curious. It is limited primarily to preparing the participants for the dialogue, ensuring ground rules of safety and respect, reviewing each person's "story," and trying to assure that their expectations for a dialogue are realistic. The preparation is thorough and may last for a year or more. If and when a face-to-face dialogue commences, the facilitator opens the meeting and reviews the ground rules, and then fades into the background. Once the conversation begins, the facilitator's interventions are minimal. The co-facilitators do not shape or guide the dialogue. There is no solution they are working toward, no predetermined therapeutic outcome, no agreement to be documented and signed.

In truth, the facilitator doesn't "facilitate" the conversation. He or she experiences it. The participants may be people *in extremis* -- the co-facilitators prepare them for their journey and then bear witness to it. Once the dialogue begins, the facilitators are not there to help find a solution. Not because of some notion that the solution must come, but because the facilitator is essentially "helpless." There is no solution to the predicament per se. It is not only that the co-facilitators are helpless with no solution to offer. The facilitators are now irrelevant: the journey belongs to the crime victim and the offender. The facilitator cannot lead them on their journey.

It seems to me that if one wants to be a facilitator of Victim-Offender Dialogue in cases of violence, we need to be prepared to leave our most precious possessions, our charisma and ego, at home. We need to be prepared to suffer. We need to accept our many limitations and acknowledge our helplessness. One needs to be willing to put many hours of hard work into preparing people for a dialogue, and then at the critical moment, once the conversation begins, sit back and watch a mysterious process unfold -- and be willing to take no credit for it.

Jerry Klein is a volunteer mediator with the City of Nashua and a volunteer facilitator of Victim-Offender Dialogue with the NH Department of Corrections. He may be reached by email at thirstyfish@earthlink.net.

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investigates reports of elder abuse and neglect. Each district office is staffed with social workers who are responsible for following up on reports of abuse and neglect. Some law enforcement agencies have created Senior Liaison positions within their agencies. Sheriff James Hardy and Hillsborough County Attorney Marguerite Wageling have joined efforts to address this issue. NH's seacoast region has The Elder Concerns and Abuse Prevention Task Force. This is a start. Local communities must participate in taking an active role. It is with collaboration, education, support and caring that we can start to address an issue that has been seen as a "Hidden Epidemic."

If you suspect that an elder is being abused or neglected, please contact the NH Bureau of Elderly and Adult Services at 1-800-351-1888 or 603-271-4680. Your report can be anonymous. You can make a difference in the lives of NH elders that may be suffering in silence.

Joe Byron retired from the Manchester Police Department. He is currently the Senior Services Coordinator for the Hillsborough County Sheriff Office and has served on several elder abuse task forces. He may be reached at (603) 627-5630 or email jbyron@hcsonh.us.

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The next edition of *Crossroads* will be published during Autumn 2005.

** An electronic version is available by e-mail **

To submit articles or comments to *Crossroads*, please contact the Victim Services Office at victimservices@nhdoc.state.nh.us

(603) 271-7351



Victim Services

New Hampshire Department of Corrections Victim Services Office P.O. Box 1806

Concord, NH 03302-1806

Phone: 603-271-7351 or 603-271-1937 or 1-800-479-0688 Ext. 7351 (in-state only)

Fax: 603-271-5639

Email: victimservices@nhdoc.state.nh.us

Inform & Involve Survivors of Crime
SPRING 2005



WE ARE ON THE WEB!

www.nh.gov/nhdoc

DID YOU KNOW...?



Each month, the NH Department of Corrections collects approximately \$130,000 in restitution payments from offenders who are responsible for paying back their crime victims for economic losses resulting from crime. (SOURCE: NHDOC Division of Field Services, 2005)

In New Hampshire, most domestic violence homicides involve one perpetrator and one victim. However, 25% of the cases involve both homicide and suicide. (SOURCE: NH Domestic Violence Fatality Review Committee, 2004)

In the U.S., drivers impaired by drug and alcohol consumption kill nearly 50 people each day. (SOURCE: National Highway Traffic Safety Administration, 2004)

45 corrections professionals of the New Hampshire Department of Corrections were called for military duty in Iraq or Afghanistan during the last two years.

April 10 – 16, 2005 is the Silver Anniversary of National Crime Victims' Rights Week, first proclaimed by President Ronald W. Reagan in 1981.